

Notice of Allowability

Application No.

10/066,088

Examiner

Raymond J. Bayerl

Applicant(s)

KETHIREDDY, AMARENDER

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to papers filed 22 August 2005; Examiner's Amendment of 25 October 2005.
2. ☒ The allowed claim(s) is/are 1, 3 - 18, 20 - 26, all other claims canceled.
3. ☒ The drawings filed on 17 December 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 15 March 2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173

26 October 2005

Art Unit: 2173

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Ripma on 25 October 2005.
3. The application has been amended as follows:

In the Claims:

Claim 18: A search engine user interface (UI) with search inquiry syntax help, the user interface comprising:

a selectable focus edit box for inputting a search request to a search engine;
and,

a search syntax help popup window that automatically appears in response to selecting the edit box,

wherein the search syntax help popup window displays search syntax characters supported by the search engine, where the search syntax characters are selected from the group including connectors and operators.

Claim 19 has been canceled;

Claims 20 – 23—“19” has been replaced by “18” in the first line of each claim;

Claims 27 – 34 have been canceled.

The incorporation of previously-pending claim 19's limitations into amended independent claim 18 serves to create a better distinction between the “popup window”

Art Unit: 2173

of the present invention and the ones seen in the previously-applied prior art of record, where "syntax help" in general is provided.

4. The following is an examiner's statement of reasons for allowance:

After having taken up the present application, as amended in the 22 August 2005 response and by the Examiner's amendment entered above, the Examiner is in general agreement with applicant, concerning the previously-outstanding 35 USC 103 rejection based upon the combination of King (US #6,587,122 B1), Cochran (US #6,345,273 B1) and Black et al. (US #6,285,998 B1); that it is not in fact applicable. The "method" and "user interface" of independent claims 1, 18, respectively, are not taught nor suggested by this combination, nor by the remaining prior art now made of record.

While King might suggest that a "popup window" be provided as "syntax help" relative to a "user interface edit box", King is limited to a programming instruction entry environment, and not "a search engine", for which the Examiner had relied upon Cochran. Even assuming that "search engine" commands as per Cochran could be assisted by King's "popup window", the presentation of "search syntax characters supported by the search engine" would not be shown; this had required the use of Black et al., who provide a "popup window" that is not invoked by "selecting the search request edit box".

As applicant points out in the discussion at pages 11, 12, the Federal Circuit in the *Vaeck* and *Mills* decisions cited requires that sufficient motivation to a person having ordinary skill in the art be present to incorporate all of the limitations of the references into the single method and interface of a presently-claimed invention. In the present

Art Unit: 2173

case, the motivation is not sufficient to take a King popup box for syntax, populate it with characters taken from a different processing context as per Black et al. and present the popup in a search engine help arrangement as per Cochran, where it is only suggested narrowing search terms that are presented.

During a final and updating search of prior art and related documents, the Examiner noted that Neale et al. teach an assistance procedure for building search engine queries, in which Boolean operators are provided to define a term. However, the introduction of such information does not occur as per the presently-claimed invention, where it is an "edit box" that produces a "popup window" containing "search syntax characters".

Perhaps more relevant to the present claims is Lawton (US #2002/0078020), where a user who is not familiar with the "search syntax characters" needed when using a "search engine interface" is provided "help" while working with an "edit box" for search term entry. However, Lawton's "help" does not occur through the use of a "popup window" that is placed within the "edit box" display context, as in the present claims, and does not form a reasonable ground of rejection, for reasons similar to those presented as overcoming the earlier indication of 35 USC 103 obviousness.

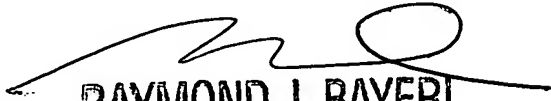
5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 2173

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond J. Bayerl whose telephone number is (571) 272-4045. The examiner can normally be reached on M - Th from 9:00 AM to 4:00 PM ET.

7. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on (571) 272-4048. All patent application related correspondence transmitted by FAX **must be directed** to the central FAX number (571) 273-8300.

8. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.



RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173

26 October 2005